

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2007-1-E - ORDER NO. 2007-350

MAY 23, 2007

IN RE: Carolina Power & Light Company d/b/a	) ORDER APPOINTING
Progress Energy Carolinas, Inc. – Annual	) HEARING OFFICER
Review of Base Rates for Fuel Costs.	)

This matter comes before the Public Service Commission of South Carolina (Commission) on the Commission's Motion to appoint F. David Butler, Esquire, to serve as a hearing officer in the present docket regarding the annual review of base rates for fuel costs of Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc. This appointment is in order that the hearing officer may dispose of procedural and evidentiary matters pursuant to S.C. Code Ann. Section 58-3-40 (Supp. 2006).

Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the commission, to rule on questions concerning the conduct of the case and other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

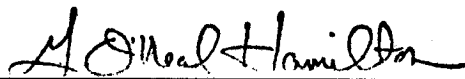
We find that F. David Butler meets these qualifications, and we therefore grant the Motion appointing him as hearing officer in this case. As hearing officer in this proceeding, we direct Mr. Butler to rule on procedural issues in the case.

IT IS THEREFORE ORDERED THAT:

1. F. David Butler is hereby appointed as hearing officer in the pending annual review proceeding of Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc. for disposition of procedural matters.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



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G. O'Neal Hamilton, Chairman

ATTEST:



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C. Robert Moseley, Vice Chairman

(SEAL)